



## U.S. Department of Justice

United States Attorney  
Southern District of New York

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December 19, 2022

BY ECF

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: IRAP v. DoD, 22 Civ. 6513 (PGG)**

Dear Judge Gardephe,

In accordance with the Court’s Order dated November 1, 2022, ECF No. 13, counsel for Plaintiff International Refugee Assistance Project (“IRAP”) and Defendant the United States Department of Defense (“DoD”) respectfully submit this joint letter to advise the Court of the status of the parties’ discussions and to propose a schedule for further proceedings in this action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”).

DoD has completed its search for records responsive to IRAP’s FOIA request and advised IRAP that the search yielded approximately 250-300 pages of potentially responsive records and one video. These materials will need to be reviewed both to confirm responsiveness and to determine whether any responsive records are exempt from disclosure in whole or in part pursuant to one or more FOIA exemptions, 5 U.S.C. § 552(b). Based upon its preliminary review of the records, DoD has determined that any responsive records will also need to be referred to the Department of State (“State”) for consultation regarding State’s equities.

The parties have conferred and agreed to the following proposed schedule: (1) DoD will complete review and processing of the records and production of any non-exempt records by February 28, 2023, and (2) DoD will make an interim production on or before February 6, 2023, of any responsive records that are not the subject of outstanding consultations as of January 30, 2023.

If the Court is amenable to this proposed schedule, the parties believe that the initial pretrial conference presently scheduled for January 5, 2023, at 10:30 a.m., may not be necessary. If the conference is adjourned, the parties propose to file a joint status report on March 15, 2023, two weeks after the anticipated completion of production, to propose next steps in the litigation.

We thank the Court for its consideration of this letter.

Respectfully submitted,

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